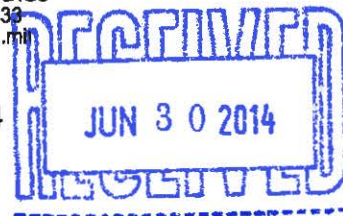





16591C
June 26, 2014



MEMORANDUM

From: David M. Frank 
CGD EIGHT (dpb)

To: Mr. James Christian, P.E., Division Administrator
Federal Highway Administration

Subj: Surface Transportation Authorization Act Concurrence

- 1) You have determined by letter dated June 19, 2014 that the proposed State 87 connector bridge project crossing Clear Creek, Santa Rosa County, Florida is exempt under the Surface Transportation Authorization Act (STAA) from Coast Guard Permitting. We concur with your findings.
- 2) FHWA has the responsibility for the STAA and based on the information provided by Florida Department of Transportation and the project site evaluations, the Coast Guard accepts your determination that this bridge project meets the criteria for the STAA and is exempt for Coast Guard Bridge Administration purposes.
- 3) The bridge is not exempt from the Coast Guard required lights and other signals as the subject Act which amended Title 23 U.S. Code, to include 23 U.S.C. 144(c), did not exclude this category of bridges from the application of 14 U.S.C. 85. The later statute requires the establishment, maintenance, and operation of Coast Guard required lights and signals on fixed structures, including bridges. The owner, in this case, the Florida Department of Transportation must request the lighting exemptions and provide the reason, the only exemption being Title 33 CFR 118.40. The statement of the reason for the exemptions must fulfill the requirements of this section. Specifically, if it is determined that no significant nighttime navigation occurs at the bridge site and a statement to this effect is required before a decision can be made. Once we receive the required information from the bridge owner, we will evaluate the specified conditions and respond accordingly.
- 4) If we could be of further assistance, please contact our office at 504-671-2128.

#

Copy: Ms. Joy Swanson, FDOT D3
Mr. Joseph Sullivan, FHWA